

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

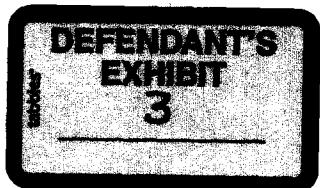
ERIC THOMAS-BEY, #137013,)
Plaintiff,)
v.) CIVIL ACTION NO. 2:05-CV-605-F
LARRY LIGON, et al.,)
Defendants.)

AFFIDAVIT

Before me, the undersigned authority, a Notary Public, in and for said County and State of Alabama at Large, personally appeared Sylvester Nettles, Sr., who being known to me, and being by me first duly sworn, deposes and says under oath as follows:

My name is Sylvester Nettles, Sr., and I am presently employed as a Correctional Officer Supervisor II, with the Alabama Department of Corrections, Bullock County Correctional Facility, Post Office Box 5107, Union Springs, Alabama 36089. I am over twenty-one (21) years of age.

On May 18, 2005, when I, Capt. Sylvester Nettles, Sr., entered my office, there was a bag of laundry items with a note, signed by Sgt. Larry Ligon. I waited until Sgt. Ligon reported for duty that day and asked him to explain why the items were in my office. Sgt. Ligon explained that he had stopped an inmate, identified as Eric Thomas, B/137013, coming out of the laundry with the items in a laundry basket. Sgt. Ligon was instructed to write inmate Thomas a Behavior Citation. The inmate could not prove that



Page 2

the items were not his; and, possession is nine-tenths of the law. There is no due process violation on Behavior Citations.



Sylvester Nettles, Sr.
Correctional Officer Supervisor II
Bullock County Correctional Facility

STATE OF ALABAMA)

COUNTY OF BULLOCK)

SWORN TO AND SUBSCRIBED before me and given under my hand and official seal
on this the 9th day of August 2005.

Justine B. Person
NOTARY PUBLIC

My Commission Expires: 2/24/2009

SEAL